

UNITED STATES DISTRICT COURT FOR THE
EASTERN DISTRICT OF TENNESSEE
AT GREENEVILLE

LARRY D. CARTER, JR.)

v.)

NO. 2:08-CV-344

MICHAEL J. ASTRUE,)
Commissioner of Social Security)

ORDER

This Social Security matter is before the Court to consider the Report and Recommendation of the United States Magistrate Judge dated February 3, 2010. In that Report and Recommendation, the Magistrate Judge recommends that the plaintiff's Motion for Summary Judgment, [Doc. 8], be granted to the extent of remanding the case to the Commissioner, and that the Commissioner's Motion for Summary Judgment, [Doc. 12], be denied. The Commissioner has filed objections to this recommendation, [Doc. 15]. After careful and *de novo* consideration of the record as a whole, and after careful consideration of the Report and Recommendation of the United States Magistrate Judge, and for the reasons set out in that Report and Recommendation, which are incorporated by reference herein, it is hereby

ORDERED that the Commissioner's objections are **OVERRULED**. It is further **ORDERED** that this Report and Recommendation is **ADOPTED** and **APPROVED**, [Doc. 14], and that plaintiff's Motion for Summary Judgment, [Doc. 8], be **GRANTED** to the extent of **REMANDING** the case to the Commissioner as set out in the Report and Recommendation, and that the Commissioner's Motion for Summary Judgment, [Doc. 12], be **DENIED**.

E N T E R:

s/J. RONNIE GREER
UNITED STATES DISTRICT JUDGE